



PATENT

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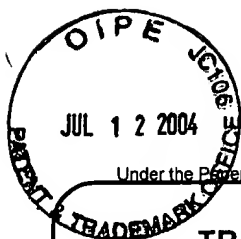
Application of:	Farina et al	Docket: MN-9091A
Filed:	August 8, 2001	Group Art Unit: 1744
Serial No.:	09/924,383	Examiner: William Beisner
Title:	Reagent Container and Canister For Use In An Automated Microbiological Analyzer	

SUPPLEMENTAL RESPONSE UNDER 37 CFR 1.116

Commissioner for Patents
P. O. Box 1450
Alexandria, VA. 22313-1450

Sir:

This communication is in response to the Examiner's Advisory Action dated May 28, 2004, in which claims 1 and 3-11 were rejected. Applicants respectfully request entry of the attached Affidavits as they believed to put the case in condition for allowance. In the alternative, it is believed to put the case in better form for appeal. Reconsideration of the now claimed invention is respectfully requested and the following submitted in support thereof.

AF/ 1744
IFW

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

09/924,383

Filing Date

AUGUST 8, 2001

First Named Inventor

FARINA

Art Unit

1744

Examiner Name

WILLIAM BEISNER

Attorney Docket Number

MN-9091A

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input checked="" type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	DADE BEHRING INC.
Signature	<i>Leland K Jordan</i>
Date	JULY 7, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	LELAND K JORDAN		
Signature	<i>Leland K Jordan</i>	Date	JULY 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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